

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

MORRIER RANCH, INC., a
Washington corporation,

Plaintiff,

v.

NORTH PACIFIC INSURANCE
COMPANY, an Oregon corporation,
MARK MALLAND and JANE DOE
MALLAND, husband and wife,
TERRIL, LEWIS & WILKE
INSURANCE, INC., a Washington
corporation,

NO. CV-09-3117-RMP

ORDER TO REMAND

BEFORE THE COURT is the parties' stipulation stating that this case, which was based on diversity jurisdiction, 28 U.S.C. § 1332, now lacks complete diversity of citizenship between the parties. Therefore, this Court lacks subject matter jurisdiction to hear this case and is required to remand the suit to Yakima County Superior Court. (*See* 28 U.S.C. § 1447 (c) ("If at any time before final judgment it appears that the district court lacks subject matter jurisdiction, the case shall be remanded.")).

Based on the foregoing, **IT IS HEREBY ORDERED:**

1. The Court hereby **REMANDS** this case to the Yakima County Superior Court without costs to either party.

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3 2. The District Court Executive is directed to file this order, forward copies
4 to counsel and a certified copy of this order to the Clerk of the Yakima County
5 Superior Court, and close this file.

6 **DATED** this 17th day of February, 2010.
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9 s/ Rosanna Malouf Peterson
10 Rosanna Malouf Peterson
United States District Court Judge
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